



Express Mail No. EV 533 735 944 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stephen J. Brown

Confirmation No.: 6599

Serial No.: 09/653,664

Art Unit: 3627

Filed: September 1, 2000

Examiner: Richard E. Chilcot

For: *Method for Conducting an On-Line Bidding Session with Bid Pooling*

Attorney Docket No: 062788-5057-US

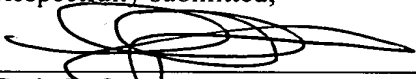
TERMINAL DISCLAIMER FEE TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the Terminal Disclaimer Fee of \$130.00 and any other required fees or credit any overpayments to Morgan, Lewis & Bockius LLP's deposit account no. 50-0310 (order no. 062788-5057-US). A copy of this sheet is enclosed.

Respectfully submitted,

Date: December 13, 2004



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37,078
(Reg. No.)

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Sir:

Your Petitioner, **Health Hero Network, Inc.**, the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded on **January 17, 2002**, at reel **012483** frame **0118**.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,794,214 which issued on August 11, 1998, and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,794,214.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,794,214 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Health Hero Network, Inc.**

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 13th day of December, 2004.

By: 

Craig P. Opperman (Reg. No. 37,078)

Attorney of Record for Assignee, Health Hero Network, Inc.